

03-23-09  
AP19 Rec'd PCT/PTO 20 MAR 2009

PATENT APPLICATION  
U.S. Appln. No. 10/580,050  
International Application No. PCT/US04/39333  
Attorney Docket No. PP021454.0004



Express Mail Label No.: EM 028421462US

Date: March 20, 2009

**IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

In Re Application of: Qui-Lim Choo

U.S. Appln. No.: 10/580,050

Intl. Appln. No.: PCT/US04/39333

I.A. Filing Date: 11/19/2004

Priority Date: 11/19/2003

Title: METHODS AND REAGENTS FOR  
TREATING, PREVENTING AND  
DIAGNOSING *BUNYAVIRUS*  
INFECTION

Confirmation No.: 7391

Group Art Unit: To Be Assigned

Examiner: To Be Assigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID  
SEQUENCE DISCLOSURES**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the "Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures", mailed February 18, 2009 from the United States Patent and Trademark Office. The applicant would like advise the USPTO that a Preliminary Amendment with a Sequence Listing was filed January 31, 2008. We are re-submitting the Preliminary Amendment and Sequence Listing to comply with Notice. Enclosed herewith are the following documents to complete the "Notice to Comply

with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures" in the above-identified application:

1. **COPY OF** Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures.
2. **PRELIMINARY AMENDMENT.**
3. **TRANSMITTAL OF SEQUENCE LISTING INCLUDING:**
  - a. Statements Under 37 C.F.R. 1.821(f-g), including statement specifically directing entry of the sequence listing into the application.
  - b. Paper Copy of the Sequence Listing (60 pages).
  - c. Compact Disk Containing CRF Copy of Sequence Listing (1 CD).
4. **EXECUTED DECLARATIONS (6 PAGES).**
5. **RETURN RECEIPT POSTCARD.**

The Commissioner is hereby authorized to charge any deficiency in fees or credit any overpayment associated with this communication and which may be required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 03-1664.

Respectfully submitted,

NOVARTIS VACCINES AND DIAGNOSTICS, INC.

Dated: 3-17-09

By: Regina Bautista  
Regina Bautista  
Registration No. 46,280

Customer No. 27476  
NOVARTIS VACCINES AND DIAGNOSTICS, INC.  
Corporate Intellectual Property – R338  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: (510) 923-2192  
Facsimile: (510) 655-3542



UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER 10/580,638	FIRST NAMED APPLICANT Qui-Lim Choo	ATTY. DOCKET NO. PP021454.0004
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27476  
NOVARTIS VACCINES AND DIAGNOSTICS INC.  
INTELLECTUAL PROPERTY R338  
P.O. BOX 8097  
Emeryville, CA 94662-8097

INTERNATIONAL APPLICATION NO. PCT/US04/39333	
I.A. FILING DATE 11/19/2004	PRIORITY DATE 11/19/2003

**CONFIRMATION NO. 7391**  
**371 FORMALITIES LETTER**



Date Mailed: 02/18/2009

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT  
APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE  
AND/OR AMINO ACID SEQUENCE DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to comply with the sequence rules, 37 CFR §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR § 1.821(g). Extension of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR § 1.136. In no case may an applicant extend the period for response beyond the six-month statutory period. Direct the response to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

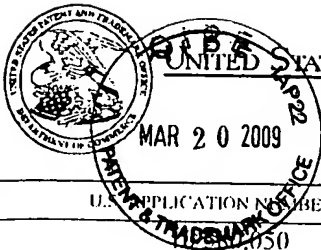
For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

INDIA L EVANS

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Telephone: (703) 308-9140 EXT 212

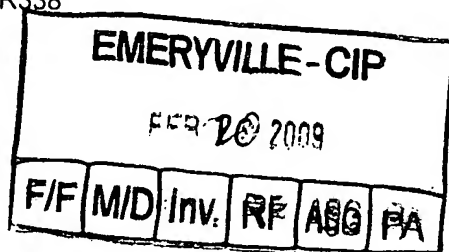


## UNITED STATES PATENT AND TRADEMARK OFFICE

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United States Patent and Trademark Office  
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U.S. APPLICATION NUMBER NO. 27476	FIRST NAMED APPLICANT Qui-Lim Choo	ATTY. DOCKET NO. PP021454.0004
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INTERNATIONAL APPLICATION NO. PCT/US04/39333	
I.A. FILING DATE 11/19/2004	PRIORITY DATE 11/19/2003

CONFIRMATION NO. 7391  
371 WITHDRAWAL NOTICE



Date Mailed: 02/18/2009

### Letter Regarding a New Notice and/or the Status of the Application

If a new notice or Filing Receipt is enclosed, applicant may disregard the previous notice mailed on 01/16/2007. The time period for reply runs from the mail date of the new notice. Within the time period for reply, applicant is required to file a reply in compliance with the requirements set forth in the new notice to avoid abandonment of the application.

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If the reply is not filed electronically via EFS-Web, the reply must be accompanied by a copy of the new notice.

If the Office previously granted a petition to withdraw the holding of abandonment or a petition to revive under 37 CFR 1.137, the status of the application has been returned to pending status.

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

DOCKETED on/by 2/23/09  
Atty. RSP FA  
File # 51835-43-PC  
Due Date 4/18/09 Ext         
Final Date 4/18/09  
PP021454 0004